

MINUTES OF MARION CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
TUESDAY, MARCH 8, 2016
6:30 P.M.

A regular meeting was held by City Council on Tuesday, March 8, 2016 at 6:30 p.m. over which Mayor Bobby L. Davis presided. Council members Michael Baker, Ralph Atkinson, Ronald Atkinson, Odessa Gregg, Joseph Frazier and Emerson Hunt were present. Also present were City Administrator Alan Ammons, City Treasurer Patricia Brown City Clerk Pam Jones and Attorney Kenneth Davis.

Mayor Davis called the meeting to order and Councilwoman Gregg gave the opening prayer. Mr. Ammons led the Pledge of Allegiance. Mayor Davis welcomed citizens, guests and the press. (Hometown TV).

Councilman Michael Baker made a motion to approve the minutes of the regular meeting on February 9, 2016 and special meeting on February 9, 2016, seconded by Councilman Joseph Frazier; motion carried.

Mr. Vondell Roberts of the Sanitation Department was named *February Employee of the Month* and presented with a gift certificate. Mayor Davis thanked Mr. Roberts for a job well done.

The Mayor's Monthly Beautification award for February was awarded to Ms. Helen Godbold. Mrs. Geneva Davis accepted the award on behalf of Ms. Godbold, who was not present.

City Clerk Pam Jones read a Proclamation presented to the Marion High School Wrestling team. The team won the 2015-16 2A State Wrestling Championship. Swamp Fox Ta'Jon Jordan was named Wrestler of the Year for the second time and Coach Michael Steinbar was named Coach of the Year. Mayor Davis congratulated the team on their tremendous accomplishment. On behalf of the City of Marion, Mayor Davis and Mayor Pro-tem Atkinson presented medals to each participant. Each Coach and wrestler were asked to make any comments at this time. Mayor Davis asked that a copy of the Proclamation be made for each participant and that they receive a "Swamp Fox City" license plate frame. The Proclamations and frames have been delivered to Coach Steinbar.

City Clerk Pam Jones read a Resolution in memory of Rev. Dr. Henry McGill, Jr., which was presented by Mayor Bobby L. Davis on behalf of City Council and the City of Marion. On behalf of the family, Rev. McGill's daughter, Poiette McGill-Bromell accepted the Resolution and spoke on how he had a special place in his heart for the City of Marion and its people. She thanked the Mayor and City Council for honoring her father and remembering his contributions.

Regarding the Proposal to Update the Comprehensive Plan, Mr. Ammons commented that funds for this have already been allocated in the General Funds Budget, as this update is required to be updated every 10 years by state law. Councilman Ralph Atkinson made a motion to move forward on the Comprehensive Plan and accept the proposal by Vismore, seconded by Councilman Joseph Frazier; motion carried.

In regards to the renewing the Community Garden Agreement, Mayor Bobby L. Davis recused himself as he is the owner of said property on Reaves Street. Mayor Pro-tem Ronald Atkinson accepted a motion from Councilman Ralph Atkinson to renew the Community Garden Agreement as presented, seconded by Councilman Joseph Frazier. The motion carried.

ADMINISTRATOR'S REPORT

Mr. Ammons addressed the issue of City facilities rentals & insurance. He spoke with Mr. Frank Page to see what insurance they required from those who rented City facilities. He found that all of the big groups (such as the Arts Council, etc.) carry additional insurance. For those smaller events such as birthday parties, baby showers etc., no insurance has been required. Some home owner's policies do carry some coverage for these type rentals. Mr. Ammons let the Attorney look over the forms to see if they needed updating. Attorney Davis commented that even with renter's insurance, should someone slip and fall, the City would be on the hook for some liability as they are the owner of the facility. Councilman Hunt commented that we could be held at least partially liable from any event being held, whether inside or outside on City property. There was further discussion between Attorney Davis and some Council members as to the policy previously set by the City. Mayor Davis commented that the City would continue to use that policy. Mr. Ammons reminded Council that Ethics Commission reports were due by March 30th. Mayor Pro-tem Ronald Atkinson commented there are many groups coming before Council to ask to use various City facilities for free. It has been brought to his attention that some of these groups have been charging a fee to enter or participate, and it is his feeling that if they are making

money, they should not be getting the facilities rent free. Mayor Davis responded that it has not yet been resolved whether he alone can make the decision to allow use of a facility; that will be determined when Council makes their final decision. There is currently an Ordinance that will be reviewed by the Attorney and Council will then decide whether or not to give the Mayor the authority to allow use of the City facilities at no charge. Mayor Pro-tem Ronald Atkinson expressed his opinion that anyone who is charging a fee to participate or enter the event should not be able to get free use of a City facility. Currently anyone who requests use must fill out a form and return it to the City Clerk, stating whether or not they are charging a fee. All request forms are sent out in the Council packets. Councilman Ralph Atkinson commented that it would be in the best interest of the citizens to be able to get approval (or not) to use a City facility without having to wait for the next Council meeting.

CITY ATTORNEY'S LEGAL UPDATE

Attorney Davis had nothing to update at this time.

DEPARTMENTAL REPORTS

Mayor Davis stated that departmental reports are sent to Council in their packets.

DISTRICTS AND CITY UPDATE FROM COUNCIL AND MAYOR

Councilman Michael Baker commented that he got with Mr. Ammons and all of his concerns had been addressed.

Councilman Joseph Frazier commented things were going good and he had no problems.

Mayor Pro-tem Ronald Atkinson stated that he had been informed of the backhoe once again being used to pick up trash and dug up a plant in someone's yard. Mayor Davis responded that did happen and he personally went by there and personally addressed this with the supervisor. Mayor Pro-tem Atkinson commented that even after they had been told not to use the backhoe, they are still doing it as they picked up some trimmings from his yard, using the backhoe. Mayor Davis stated that he addressed this issue with the department head and they repaired the resident's yard. Mayor Davis further stated that if this happens again, they will answer directly to him.

Councilman Ralph Atkinson had no comment at this time.

Councilwoman Odessa Gregg had no comment at this time.

Councilman Emerson Hunt had no comment at this time.

Mayor Bobby L. Davis asked City Clerk Pam Jones to read a note from HMRA, thanking the City for all of their help for the Swamp Fox Chili Cook-off and all surrounding activities during the weekend. Mayor Davis stated that he received a letter from Mr. Rick Morrison pertaining to the Police Department and thanked them for their quick response to actions that took place.

EXECUTIVE SESSION

Councilman Ralph Atkinson made a motion to enter Executive Session to discuss Legal Advice from Attorney, seconded by Mayor Pro-tem Ronald Atkinson; motion carried. Upon returning from Executive Session, Mayor Davis stated that no action had been taken. Councilman Ralph Atkinson made a motion to return to regular session, seconded by Councilman Joseph Frazier; motion carried.

ADJOURNMENT

With no further business to discuss, Councilman Ralph Atkinson made a motion to adjourn, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Mayor Bobby L. Davis

City Clerk Pam Jones

Taped: March 8, 2016